The United States thanks the OIE for the opportunity to provide comments on this document. However, in reviewing the document, it became clear that the guidelines are far from complete. For example, many of the definitions have yet to be developed, all of the roles and responsibilities of the Animal Care and Use Committee have yet to be defined, the risks under Occupational Health and Safety still need to be identified, and the list of reference documents such as the "AHAW Report" referred to in this draft need to be developed. Therefore, we respectfully request opportunities to fully review future proposed draft documents prior to their being proposed for adoption.

The United States also requests that clarity be provided regarding the meaning of "must", "should" and "may" as used in this document.

Note: Please note that throughout this document, the use of the "strikethrough" is intended to indicate deleted wording; the use of the "double underline" is meant to indicate inserted wording.

UNITED STATES COMMENTS

TERRESTRIAL ANIMAL HEALTH STANDARDS COMMISSION REPORT - MARCH 2008

OIE GUIDELINES ~~ON RESEARCH ANIMAL WELFARE~~ FOR ANIMALS USED IN RESEARCH, TESTING AND TEACHING

- Rationale: This change is recommended to better describe the range of activities covered by the document.

Preamble

The purpose of this Annex is to provide a conceptual framework for OIE Members to consider when formulating regulatory requirements for the use of live animals in research, testing and teaching.

The OIE recognises the vital role played by the use of live animals in research, testing and teaching. As stated in the OIE Guiding Principles, such use makes a major contribution to the wellbeing of people ~~(~~and animals~~)~~.

- Rationale: This change (deleting the parentheses around "and animals") is suggested due to the fact that veterinary medicine has been significantly advanced through biomedical research. Recognition of this fact is important for acceptance of the use of animals in research, and we believe acknowledgement of the benefits of such research to the animals themselves should not be treated as a parenthetical thought.

The OIE also recognises the ~~status of animals as~~ need for humane treatment of sentient ~~beings~~ animals and the OIE Guiding Principles for animal welfare emphasise the importance of the Three Rs of Russell and Burch.

- Rationale: Further justification is required for the statement that the OIE recognizes all animals as sentient. Although it appears that the OIE has recognized the need for humane treatment of sentient animals via the adoption of its Guiding Principles (as found in the Introduction to the Guidelines for Animal Welfare [Appendix 3.7.1]) and 2007 Resolution XIV, criteria for determining sentience and the applicability of those criteria to specific animal species have not been addressed. We believe such criteria must be clear and accepted by the Member countries before such a generalized and impactful statement is made.

The system used in practice will vary from country to country and according to cultural, economic, religious and social factors. However, the OIE recommends that Members address all the essential elements identified in these Guidelines in formulating a regulatory framework that is appropriate to their conditions. This framework may be delivered through a combination of national, sub-national and local jurisdictions and both public sector and private sector responsibilities should be clearly defined.

The OIE recognises the central role played by veterinarians not only for their training and special~~ist~~ skills but also as a member of a team including scientists and animal care technicians.

- Rationale: Recognition as a "specialist" typically involves advanced training and examination beyond that required for general competence as a veterinarian. Although the guidelines later suggest (see II. Assurance of Training and Competency) that the facility veterinarians should have knowledge of and experience in the species used and a working knowledge of research methods, they do not require certification as a "specialist." Use of the modifier "special," rather than "specialist" thereby seems more appropriate in this context.

This team approach is based on the concept that everyone involved in the use of animals has an ethical responsibility for the animals' welfare. The approach also ensures that animal use in science leads to high quality scientific outcomes and optimum welfare for the animals used.

In keeping with the overall approach to animal welfare, as detailed in the Guiding Principles, the OIE emphasises the importance of standards based on outcomes from the animal's perspective rather than inputs from a 'systems-design' perspective. At the institutional level the Animal Care and Use Committee plays a critical role in determining the acceptability ~~and~~ of protocols for animal use, taking account of the animal welfare implications, the scientific merit and the societal benefit, in a risk-based assessment of each project using live animals.

- Rationale: This change is provided to clarify the intent of the document.

Definitions (to be developed)

Animal Care and Use Committee (ACUC)

Project Proposal

Operant conditioning

Biocontainment

Bioexclusion

Humane endpoint

Genetically altered animals (GA animals)

Scope

These guidelines apply to the use of animals as defined in the Terrestrial Animal Health Code (the *Terrestrial Code*) (excluding bees) in procedures in research, testing and teaching. Animals killed for the primary purpose of harvesting their cells, tissues and organs for use in scientific procedures are also covered. These recommendations are directed to:

- Comment: The last sentence in the above paragraph appears incomplete. We would ask for clarification as to whether it was intended to be immediately followed by the sentence below?

All terrestrial vertebrate species, ~~including foetal/embryonic developmental stages from the last third of the developmental period (refer AHAW Report).~~

- Rationale: The inclusion of foetal/embryonic stages is too prescriptive. The AHAW Report does not state that the fetus is capable of feeling pain or distress, but includes the last third of the developmental stage to avoid the risk that a fetus could be affected by some experimental procedures in such a way that its welfare is poor. We would request additional scientific evidence to support inclusion of the foetal/embryonic developmental stages in this document.

In developing an appropriate regulatory framework, member countries should consider both the species and the developmental stage of the animal.

~~Note: the *ad hoc* Group also recommended that these Guidelines also address aquatic animals, including fish, some amphibians, and some invertebrate species (eg cyclostomes, Cephalopoda and decapod crustaceans) (refer AHAW Report). Given that the OIE's standard setting work in relation to these animals falls under the auspices of the Aquatic Animal Health Standards Commission, the OIE will forward the report of *ad hoc* Group to the this Commission for consideration.~~

- Rationale: This paragraph appears to provide historical and contextual information, as opposed to guidance. We therefore recommend that it be deleted from the final guideline document. Similar information has been provided in published reports of OIE activities, so those may be a more appropriate alternate venue for the information in this paragraph.

Preamble

For clarification purposes, we suggest combining this "Preamble" with the information provided in the first "Preamble" that begins these guidelines, perhaps by inserting this information after the second paragraph.

The *Terrestrial Code* states that the internationally recognised 'Three Rs' (reduction in numbers of animals, refinement of experimental methods and replacement of animals with non-animal techniques) provide valuable guidance for the use of animals in science.

Most scientists and ~~governments~~ members of the public agree that the use of animals in science ~~testing~~ should cause as little pain and/or distress to animals as possible, and ~~those~~ that animals ~~tests~~ should only be ~~performed~~ used ~~where~~ when necessary.

- Rationale: Because governments are public service entities, their actions are, in general, guided by public interests and the protection of those interests. For this reason, it is appropriate and encompassing to suggest the philosophical agreement of the community, rather than simply agreement of the authorities. We have also suggested use of the phrase "in science," rather than "in testing," to better accommodate the range of activities covered by the guidelines. The rest of the changes are editorial.

The "Three Rs" of Russell and Burch ~~(1959) (http://altweb.jhsph.edu/publications/humane_exp/het-toc.htm)~~ are guiding principles for the use of animals in research, testing and ~~training~~ teaching.

- Rationale: Because this is not the first mention of the Three Rs (they first appear on page one in Preamble 1 of the document), we believe the web link provided should be appropriately formatted as a citation and attached to the first mention. The editorial revision is suggested to achieve consistency with the use of terms in the rest of the document.

They comprise:

- Reduction, which refers to methods that enable researchers to obtain comparable levels of information from fewer animals or to obtain more information from the same number of animals.
- Replacement, which refers to the use of non-animal methods over animal methods, or a lower order species, whenever it is possible to achieve the same scientific aim.
- Refinement, which refers to methods that prevent, alleviate or minimise known and potential pain and/or distress and/or enhance animal welfare for the animals ~~still~~ used.

- Rationale: In good laboratory practice, when methods of pain control are contemplated, both known and potential pain are considered. We also believe refinement methods are beneficial and may enhance animal welfare for animals that are experiencing no pain and/or distress and should be encouraged. The rest of the changes are grammatical in nature—"Which" has been inserted to link the bullet points to the introductory phrase "They comprise:". Inclusion of "still" is unnecessary in the third bullet point.

It is the responsibility of all ~~researchers~~ scientists using animals to ensure that they give due regard to these principles in designing and implementing their research protocols.

- Rationale: The term "scientists" better generalizes responsibilities to the range of individuals covered under the document.

Animal Care and Use Programme

Each facility using live animals for research, testing and teaching should have an Animal Care and Use Committee (ACUC) that is responsible, at the institutional level, for ensuring compliance with ~~government~~ regulatory requirements for the use of live animals, as well as cells, tissues and organs derived from live animals sacrificed for this purpose. ~~and, in particular, their welfare.~~

- Rationale: According to paragraph two, sentence one of this section, it is possible that requirements may be established and verification performed by governmental agencies or by delegation of authority to non-governmental organizations. Our suggested addition of "as well as cells, tissues and organs" is consistent with the responsibilities suggested in paragraph one of the section on "Scope." We recommend deleting, "and, in particular, their welfare" because concern for this aspect of animal use is evident from the purpose of this document.

The role of Competent Authorities is to implement a system (governmental or ~~other~~ nongovernmental) of verification of compliance by institutions.

- Rationale: We recommend this editorial change in keeping with references in other guidance documents to governmental and nongovernmental authorities.

This often involves a system of approval (such as licensing of institutions, scientists, and projects) and compliance is assessed by a variety of methods.

Critical elements of the Animal Care and Use Programme (ACUP) should be ~~the subject of legislation~~ included in regulatory language having adequate authority to empower the government to take appropriate action to ensure compliance with requirements.

- Rationale: Multiple levels of regulatory authority exist in addition to statute, and different levels may be appropriate to codify different elements of the ACUP.

In some countries, transparency is an important element in the ACUP and is desirable to support public confidence in the regulatory framework.
Likewise, a requirement for keeping records on animal use as appropriate to the institution, project protocol and species, should be included.

- Rationale: The complexity of the project (specifically the degree of welfare risk) and species are variables, in addition to institution, that will affect what records are appropriate to demonstrate compliance with regulations.

It may be appropriate to maintain such records on a regional or national basis and to provide some form of public access to such records in order to provide public transparency and confidence.

I. Animal Care and Use Committee (ACUC)

a) Roles and Responsibilities (To be developed)

i) Project Proposal Review

– Review – All projects should undergo an evaluation comprising of:

– assessment of the scientific aims;

- consideration of experimental design including statistics where appropriate, and addressing any feed and water restrictions imposed as part of an experimental procedure;
  - Rationale: We believe this is an important topic to be considered as a responsibility of the ACUC.

- consideration of the husbandry and care of the species proposed to be used;

- incorporation of the Three Rs – replacement, reduction and refinement;

- ~~assignment of a severity class~~;
  - Rationale: Clarification as to what is to be assigned a "severity class" is needed, as well as an explanation of what is meant by the term.

- an assessment of any health and safety risks for animals and personnel;
  - Rationale: Risks to both animal health and welfare and occupational health and safety should be considered when evaluating the appropriateness of projects and protocols.

- ~~an assessment of the harm-benefit analysis, and~~
  - Rationale: Clarification as to who is responsible for conducting the "harm-benefit analysis" is needed, as well as an explanation of what is meant by the term.

- an assessment of methods of restraint and alternatives to restraint such as animal training and *operant conditioning.*

- The review might also include a non-technical summary of the project proposal

ii) Facility inspection

- The ACUC should perform regular inspections of the facilities, ~~some of which should be unannounced~~.
  - Rationale: The decision whether to conduct announced or unannounced inspections will depend on the frequency with which research, testing or teaching is done at the facility, and should be left open to allow for maximum flexibility.

- Principles of risk-management should be followed when determining the frequency and nature of inspections.

- The inspection team should include more than one member of the ACUC.

iii) ACUP Review

- The ACUC should be responsible for review of the overall ACUP including:

  - Training and competency of all staff;

  - The programme of veterinary care;

  - The physical facility and environmental conditions;

- Husbandry and operational conditions;

- Sourcing and disposal of animals;
  - Rationale: Both the source and ultimate disposition of animals need to be addressed to ensure that animal welfare and scientific needs are satisfied.

- Staff Occupational Health and Safety programme; and

- Collection of accurate statistics on the use of animals within the facility to meet ~~government~~ regulatory requirements.
  - Rationale: We believe this is a more appropriate language choice, given that these requirements may be established via different processes (e.g., authority may be governmental or delegated to nongovernmental agencies).

- Reporting structure. It is Important that the ACUC should report to a senior individual within the institution who has the authority to legally commit on behalf of the research facility that all regulatory requirements are being met, including implementation of the Committee's recommendations.
  - Rationale: Based on our experience during our own regulatory rulemaking process, this change incorporates the concern expressed by the public that it is important to avoid making the ACUC an enforcement body of the regulators.

b) Committee Composition

The ACUC should include, at a minimum:
- Rationale: By describing the minimum committee membership, overly prescriptive requirements will be avoided.

one ~~or more scientists~~ scientist, whose role is to ensure that protocols are designed and implemented in accordance with sound science, that the research is appropriate and valuable, and to ensure compliance with regulatory requirements relevant to research conducted at the establishment.

one ~~or more veterinarians~~ veterinarian, preferably with competence to work with research animals, whose specific role is to provide advice on the care, use and welfare of the animals.

In addition, it is important to include a member of the animal care staff in the ACUC as these professionals are centrally involved in ensuring the welfare of animals used at the establishment.

Other participants in the ACUC may include statisticians, information scientists and ethicists as appropriate to the studies conducted at the establishment.

It may be appropriate to include representatives of the community (general public) in which the facility is located. This can help to support public confidence that the establishment management takes its responsibilities seriously and that the establishment consistently complies with regulatory requirements.

II. Assurance of Training and Competency

An essential component of the animal care and use program is the assurance that the personnel working with the animals are appropriately trained and qualified to work with the species used and to support the research, testing or teaching mission.

- Rationale: The addition of "testing or teaching" is to accommodate the range of activities covered by the document and ACUCs.

A system (e.g., institutional, regional, national, etc.) to assure competency should be in place. Continuing professional education opportunities should be made available to relevant staff.

a) Scientists. Due to the specialised nature of ~~animal~~ research, testing and teaching that uses animals, focused training should be offered to supplement educational and experiential backgrounds of ~~researchers (including visiting~~ scientists~~)~~ before initiating these ~~study~~ activities. The laboratory animal veterinarian often is a resource for this focused training. Competency in performance of procedures related to the~~ir~~ research, testing or teaching (e.g., surgery, anaesthesia, dosing~~, etc.~~) should be verified.

- Rationale: The changes are made to accommodate the range of activities covered by the document.

b) Veterinarians. It is important that veterinarians working in an animal research, testing or teaching environment have veterinary medical knowledge and experience in the species used and they should have a working knowledge of research, testing or teaching ~~methodology~~ methods. Relevant approvals issued by the Veterinary Statutory Body and appropriate national schemes (where theses exist) should be adopted as the reference for veterinary training (also see Annex 2).

- Rationale: The suggested revision is editorial. "Methodology" means "the study of methods"; therefore, "methods" is a more appropriate word choice. The addition of "testing or teaching" is to accommodate the range of activities covered by the document and ACUCs.

c) Animal Care Staff. Animal care staff should be offered training that is consistent with the scope of their work responsibilities and their competency in the performance of these tasks should be verified.

d) Students. Wherever possible, students should learn ~~about animal research~~ scientific principles using non-animal methods (e.g., videos, computer models, etc).

- Rationale: Animal models are used to teach students principles in a variety of scientific fields, including but not limited to anatomy, physiology, and biochemistry/pharmacology. We believe the term "scientific principles" is a more encompassing term for this type of education than "animal research." The other suggestion is editorial.

Wherever it is necessary for students to participate in classroom or research activities involving animals, they should receive appropriate oversight in the use of animals until such time that they have demonstrated competency in the related procedure(s).

III. Provisions of Veterinary Care

Adequate veterinary care includes responsibility for the promotion and monitoring of an animal's welfare before, during and after experimentation, ~~or~~ testing, or teaching.

- Rationale: Once again, the range of activities covered by the document needs to be addressed.

Animal welfare includes both physical and psychological aspects of an animal's condition evaluated in terms of environmental comfort, freedom from pain and distress and appropriate social interactions, both with conspecifics and with man.

Note: As the above statement is quite similar to a statement included in the definition adopted for "*animal welfare*" during the May 2008 annual session of the OIE, and upon which we are providing comments in a separate document, we would request wording in the above sentence be made consistent with the final, adopted definition of "*animal welfare*".

The veterinarian must have the authority and responsibility for making determinations concerning animal welfare and assuring that animal welfare is adequately monitored and promoted.

a) Clinical Responsibilities. Preventive medicine programmes such as vaccinations, ecto- and endoparasite treatments and other disease control measures should be initiated according to currently acceptable veterinary medical practices appropriate to the particular species and source. Disease surveillance is a major responsibility of the veterinarian and should include routine monitoring of colony animals for the presence of parasitic, bacterial and viral agents that may cause overt or sub clinical disease. The veterinarian must have authority to use appropriate treatment or control measures, including euthanasia if indicated, following diagnosis of an animal disease or injury. If possible, the veterinarian should discuss the situation with the principal investigator to determine a course of action consistent with experimental goals. ~~The veterinarian has the responsibility to ensure that controlled drugs are managed in accordance with applicable regulations~~.

- Rationale: Assigning responsibility to the veterinarian for ensuring appropriate management of controlled drugs is too prescriptive, as oversight for controlled substances varies based on local, regional or national requirements.

b) Veterinary Medical Records. Medical records are considered to be a key element of a programme of adequate veterinary care for animals used in research, teaching, and testing. Application of performance standards within the medical record program allows the veterinarian to effectively employ professional judgment, ensuring that the animal receives the highest level of care available.

c) Advice on zoonotic risks and notifiable diseases. The use of some species of ~~research~~ animals poses a risk of the transmission of zoonotic disease (e.g., nonhuman primates).

- Rationale: Deletion of "research" generalizes the statement to the range of activities covered by the document.

The veterinarian should be consulted to identify sources of animals that minimize these risks and to advise on measures that may be taken in the animal facility to minimize the risk of transmission (e.g., personal protective equipment, air pressure differentials in animal holding rooms, etc.). Animals brought into the institution may carry diseases that require notification of government officials. It is important that the veterinarian be aware of, and comply, with these requirements.

d) Advice on surgery and postoperative care. A programme of adequate veterinary care includes the review and approval of all preoperative, surgical and postoperative procedures by a qualified veterinarian. A veterinarian's inherent responsibility includes monitoring and providing recommendations concerning preoperative procedures, surgical techniques, the qualifications of institutional staff to perform surgery and the provision of postoperative care.

e) Advice on analgesia and anaesthesia. Adequate veterinary care includes providing guidance to animal users and monitoring animal use to assure that appropriate methods of handling and restraint are being used and to ensure proper use of anaesthetics, analgesics, tranquilizers, and

methods of euthanasia~~. Written guidelines regarding the selection and use of anaesthetics, analgesics and tranquilizing drugs and euthanasia practices~~ for all species~~. used must be provided and periodically reviewed by the veterinarian.~~

- Rationale: Requiring written guidelines is too prescriptive and should be left to the discretion of the responsible veterinarian.

f) Advice on humane endpoints and euthanasia. Humane endpoints are established for both experimental and humane reasons. An experimental endpoint is chosen to mark the planned end of an experimental manipulation and associated data gathering. In experiments with unrelieved or unanticipated pain/or distress, humane endpoints are criteria that indicate or predict pain, distress, or death and are used as signals to end a study early to avoid or terminate pain and/or distress. Ideal endpoints are those that can be used to end a study before the onset of pain and/or distress, without jeopardizing the study's objectives. However, in most cases, humane endpoints are developed and used to reduce the severity and duration of pain and/or distress. Humane endpoints should also be established for any teaching activities for which these may be deemed to be necessary.

- Rationale: Including this language is needed to extend guidance to the range of activities covered by the document.

The veterinarian has a key role in ensuring that humane endpoints, as approved by the ACUC, are followed during the course of the study or teaching exercise. It is essential that the veterinarian have the responsibility and authority to ensure euthanasia is administered as required to relieve pain and distress in ~~research~~ animals used for scientific purposes, provided such intervention is not specifically precluded in protocols reviewed and approved by the ACUC.

- Rationale: The revisions are recommended to extend guidance to the range of activities covered by the document.

IV. Physical Facility and Environmental Conditions

A well-planned, well-designed, well-constructed, and properly maintained facility is an important element of good animal care and use, and it facilitates efficient, economical, and safe operation. The design and size of an animal facility depend on the scope of institutional ~~research~~ activities, the animals to be housed, the physical relationship to the rest of the institution, and the geographic location.

- Rationale: This change is recommended to accommodate activities covered by the document in addition to research.

An animal facility should be designed and constructed in accordance with all applicable building standards. Animals should be housed in facilities dedicated to or assigned for that purpose and should not be housed in laboratories merely for convenience. Security measures (e.g., locks, fences, cameras, etc.) should be in place to protect the animals and prevent their escape.

- Rationale: This phrase is added for clarification.

For many species (e.g., rodents, , environmental conditions should be controllable to minimize physiological changes in the animals ~~due to the stress of accommodating to~~ caused by stressors, such as changing temperature, humidity, light, and noise~~, etc~~.

- Rationale: This change is recommended for clarification of the intent of the document.

V. Husbandry

Note: In addition to the concerns addressing normal behavior listed below, we believe consideration should also be given to such equally critical issues affecting animal welfare as health, disease, and injury.

High standards of care and accommodation enhance the welfare of the animals used and ~~promote~~ ensure the scientific validity of ~~animal~~ research, testing and teaching that uses animals.

- Rationale: Scientific validity in research, testing and teaching is only protected when animals are used appropriately. Therefore, it is not an issue of "promoting" scientific validity, but an issue of "ensuring" it. In addition, the document addresses animal research, testing, and teaching, not simply research, and (once again) all components should be consistently mentioned throughout the document.

Animal care and accommodation shall demonstrably, as a minimum, conform to relevant, published national or international animal care, accommodation and husbandry guidelines.

a) Acclimatisation. Regardless of the duration of quarantine, newly received animals should be given a period for physiological~~,~~ and psychological~~, and biochemical~~ stabilization before their use.

- Rationale: Biochemical stabilization is necessary for physiological stabilization; therefore inclusion of biochemical stabilization appears redundant.

The length of time for stabilization will depend on the type and duration of animal transportation, the species involved, country of origin, and the intended use of the animals.

b) Enrichment. Animals should be housed with a goal of maximizing species-specific behaviors and minimizing stress-induced behaviors. One way to achieve this is to enrich the structural and social environment of the ~~research~~ animals, and to provide opportunities for physical and cognitive activity. Such provision should not compromise the health and safety of the animals or people or interfere with the ~~research~~ project goals.

- Rationale: We are once again generalizing the language to refer to the range of activities covered by the document.

c) Normal Behavior. The housing environment and husbandry practices should take into consideration the normal behavior of the species to minimize stress and facilitate the production of sound research data.

VI. Source of animals

Animals to be used for research, testing and teaching should be of high quality to ensure ~~reproducibility~~ the validity of research~~, and~~ testing and teaching accordingly.

- Rationale: The term "validity" better encompasses the importance of appropriate animal model selection to usefulness and quality of research, as well as to reproducibility.

a) Legal and humane procurement. ~~The acquisition of~~ Animals ~~should~~ must be ~~made~~ legally acquired.

- Rationale: Legal acquisition of animals is a "must," rather than a "should."

It is preferable that animals are purchased from recognized ~~institutions~~ sources producing or securing high quality ~~research~~ animals.

- Rationale: Sources of quality animals for research, testing or teaching may be institutions; however, these animals may also be provided by other types of dealers

(e.g., random-source dealers, animal shelters [especially anatomic specimens]), who may or may not actually produce these animals. Therefore, we recommend the more generic "sources" replace the more specific "institutions" and that "and securing" be added to accommodate those dealers who do not actually produce the animals they supply.

It is desirable to use purpose bred animals where these are available. The use of animals that are not bred for the intended use should be avoided if possible.

The use of non purpose bred animals, including farm animals, non traditional breeds and species and animals acquired from random sources or captured in the wild, ~~is~~ are sometimes necessary to achieve study goals.

- Rationale: The addition of "acquired from random sources" to encompass the range of animals that might be used for research, testing or education. Animals "acquired from random sources" might include animals received from random-source dealers, as well as client-owned animals.

b) Animal health status. Animals should have appropriate health profiles for their intended use. Health status of animals should be known before initiating ~~research~~ projects.

- Rationale: We suggest this change to accommodate the scope of the document.

c) Genetically altered animals. If genetically altered animals ~~have to be~~ are used, such use should be conducted in accordance to relevant ~~legislation should be observed~~ regulatory guidance.

- Rationale: We suggest changing the wording from "have to be" to "are used" as this section of the document addresses the requirements for specific considerations after the decision to use animals has been made and appropriately justified. In addition, the use of "regulatory guidance," rather than "legislation," provides more flexibility for Member countries by recognizing that the details of such use might be encompassed in implementing regulations, rather than a statute. It accommodates countries that for reasons of practicality or best use of available resources may relegate some implementation or enforcement authority to nongovernmental agencies.

Records, ~~of~~ including compliance with biocontainment requirements, genetic information, and individual identification should be kept and communicated between the provider and recipient.

- Rationale: This is recommended as a clarification.

d) Animals captured in the wild. If wild animals ~~need to be~~ are used, the capture technique should be humane with due regard to human and animal health and safety.

- Rationale: We suggest changing the wording from "need to be" to "are used" as this section of the document addresses the requirements for specific considerations after the decision to use animals has been made and appropriately justified.

e) Reuse of animals. If animals ~~have~~ are to be reused, the approval of the ACUC should be obtained. All animals to be reused should have a good health status. JM to provide further advice

- Rationale: We suggest the change to "are to be used" as this section of the document addresses the requirements for specific considerations after the decision to use animals has been made and appropriately justified. In addition, we note this section appears to be incomplete, as per the notation in the last sentence.

f) Transport, importation and exportation. Animals should be transported under conditions that are appropriate to their physiological and behavioural needs and ~~microbiological~~ pathogen status, with care to ensure appropriate containment (see OIE Appendix on transport of animals)

- Rationale: The use of the word "pathogen" is more specific to the concerns to be addressed.

g) Biosecurity risks. To reduce biosecurity risks related to ~~research~~ animals, ~~the microbiological~~ pathogen status of ~~research~~ animals should be confirmed and appropriate biocontainment and bioexclusion should be ~~provided~~ practiced.

- Rationale: Deletion of the word "research" is recommended so that the statement is generalized to the uses covered by the document (i.e., research, testing and teaching). "Pathogen" rather than "microbiological" is suggested for the reasons given in point f) above. "Practiced" is a recommended editorial change. We would also suggest since points f) and g) address similar issues, they may be combined into a single point.

Biosecurity risks to animals arising from exposure to humans should also be addressed.

VII. Occupational Health and Safety (To be developed -scratch, biting kicking, physical, chemical and radiation risks Study related risk)

Institutional measures for occupational health and safety should be extended to the animal care and use programme. Appropriate measures should be taken to protect animal users, animal care staff and students and others who may be exposed to animals or animal by products. An educational program for occupational health and safety should be implemented.

a) Infectious diseases including zoonotic diseases. To protect the staff ~~in research settings~~, infectious diseases including zoonotic diseases should be identified.

- Rationale: This change is suggested to expand the statement to the range of activities covered by the document.

Appropriate health protection measures should be effected.

b) Allergies. Risks can be minimised by ~~the occupational health and safety programme, including~~ adequate facility ventilation, biocontainment, and use of appropriate protective equipment ~~and health protection measures~~ (e.g. mask, eye protection, gown, gloves).

- Rationale: These changes are suggested to provide clarification of the intent of the document.

VIII. Importance of post approval monitoring and validation

Following the approval of a protocol, a post approval monitoring system should be implemented to ensure the consistency of procedures and the validation of results.

- Comment: We request additional explanation of the intent of this requirement, e.g., a clarification of what is meant by the use of the terms "consistency of procedures" and "validation of results".

List of references (To be developed)